

K. Johnson
FILE COPY

PUEBLO OF LAGUNA

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Office of

The Governor

The Secretary

The Treasurer

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Confidential Claim Retracted

Authorized by: SK

Date: 6/12/13

April 17, 1984

6/11/84

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JUN 08 1984

THROUGH: Roland E. Johnson, Superintendent

PUEBLO OF LAGUNA
GOVERNOR'S OFFICE

Mr. Vincent Little, Area Director
Bureau of Indian Affairs
Albuquerque Area Office
P.O. Box 8327
Albuquerque, New Mexico 87198

Re: Environmental Impact Study - Reclamation of Jackpile-Paguate Mine

Dear Mr. Little:

This will confirm your conversation with my Assistant, Ron Solimon on Thursday, April 17, 1984, concerning matters relative to the development of the above-referenced subject. I'm sorry I could not meet with you personally, but I am confident that the concerns of the Pueblo were conveyed to you by Ron.

As Ron informed you, we met with Assistant Secretary, Carruthers during the week of April 1st in order to request that the groundwater recovery level issue be studied by the Water Resources Division of the U.S. Geological Survey (WRD/USGS). The reason being the lack of agreement of this issue as between Anaconda and the EIS Task Force. The variances in the recovery level causes us great concern. Moreover, while Anaconda has completed a study (by Dames & Moore) Interior has not completed its own independent and unbiased analysis of this issue. The proposed entry of a third-party contract between the EIS Task Force (BIA & BLM) and a renowned hydrologist for purposes of obtaining his opinion which would not be binding on the federal government or Anaconda appears to be a true exercise in futility; and, moreover, the trust responsibility would appear to be compromised at the expense of the Pueblo of Laguna. One of the most troubling aspects of this current problem is that it could have been avoided through direct consultation with the Pueblo. Instead, we found ourselves having to contact Assistant Secretaries Carruthers, Broadbent and Smith on this issue. I'm sure that this kind of occurrence can be avoided in the future. However, as a result your meeting with Assistant Secretary Carruthers he indicated his intention to visit the mine-site somewhere around the 24th of April. At that time, he'll advise the Pueblo of his decision on the groundwater recovery issue. He will

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have consulted with the other two (2) Assistant Secretaries who have a shared responsibility for the reclamation problem.

Concerning other relative matters that Ron discussed with you, I feel that is extremely important that the BIA be well-represented as co-lead on the development of the EIS. As Ron indicated to you, we believe adjustments on the part of the BIA/Area Office are in order. The Pueblo throughout the pendency of the reclamation project has emphasized the need for local technical assistance. We have received quality input from Dave Baldwin's shop (Dick Borneman), but we understand that they are trying to handle tribal natural resource management problems on a nationwide basis. Therefore, in considering Anaconda's offer to settle it is important that we have quality advice not only from an economic standpoint but from a construction engineering perspective. We have proposed to use the \$65,000 promised to us by the Honorable Ken Smith for purposes of analyzing Anaconda's offer as well as developing several management structures in the instance that the Pueblo should settle with the Company and accept responsibility for reclamation. It is my understanding that we may see the money in June if at all. This does not coincide with the time frames set-out for the Pueblo. The Company has given the Pueblo thirty (30) days to respond to its offer. The thirty (30) day time period will begin after presentations have been made to the residents of all six (6) villages by Company representatives. Therefore, much deliberation must take place during the month of May. We would like to tie ourselves in with a local engineering firm so that we may have ready access to expertise in several areas. It is here that the Pueblo needs financial assistance now as opposed to later. I would appreciate your determination on these issues. I will make myself available to meet with you if need be.

Thank you for your attention to this matter. I look forward to your assistance.

Sincerely,

PUEBLO OF LAGUNA

Vincenti Pedro Sr.
Vincenti Pedro, Sr.
Governor

VP/RJS:lv

bc: Les Taylor
Dick Schifter

BUREAU OF INDIAN AFFAIRS
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